

IN RE: PETITION FOR ZONING VARIANCE
NW/Corner Old Freeland Road
and York Road
(310 Old Freeland Road)
7th Election District
3rd Councilmanic District
Penn-Mar Organization, Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-203-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit a single-faced identification sign of 37.5 sq.ft. total in lieu of the maximum permitted 15 sq.ft., in accordance with Petitioner's Exhibit 1.

The Petitioner, by Michael P. Shriver, Executive Director, appeared, testified and was represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition were Joe H. Leckrone, Chairman, Board of Directors, Ohma Lee Burno, Joy M. Flick, Judy Chapman, and Kirk B. Williams. Appearing as Protestants in the matter were Robert C. Leonard, and Dr. Richard W. and Gloria McQuaid.

Testimony indicated that the subject property, known as 310 Old Freeland Road, consists of 4.902 acres zoned R.C. 2 and is the site of a community care center which has operated on the site since February, 1989. Said property was the subject matter of previous Case No. 87-507-X in which a special exception for the subject facility was granted the Petitioner on June 25, 1987. The Petitioner is a non-profit organization which provides residential, training and educational services for handicapped individuals in the northern area of Maryland and southern area of York County, Pennsylvania. Testimony indicated the subject facility currently serves 67 individuals. Petitioner is desirous of placing an identification sign on the property in the location shown on Petitioner's Exhibit 1, approximately 40

feet from Maryland Route 45 (York Road). Mr. Shriver testified the proposed sign is necessary to adequately identify the location of the site for vendors, visitors and prospective clients as well as emergency service personnel. Testimony indicated the subject facility is open Monday through Friday from 6:00 AM until approximately 5:00 PM, and that there are occasional meetings held after hours, generally beginning around 7:30 PM and ending no later than 10:00 PM. Mr. Shriver testified the sign would not contain any internal lighting but requested permission to direct a light on the sign so it could be seen in early morning hours and evenings when the building is in use. He further testified the light would not be left on all night and would strictly be used to identify the site early enough for safe access by visitors. Testimony indicated that as a result of correspondence written by the community as well as the Office of Planning, Petitioner has agreed to relocate the proposed sign further back on the property rather than the location shown on Petitioner's Exhibit 1 to insure it does not interfere with visibility onto York Road from Old Freeland Road. The proposed sign will be constructed in accordance with the design depicted on Petitioner's Exhibit 4. The testimony and evidence presented indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community.

The Protestants are generally opposed to the relief requested. Dr. Richard McQuaid, President of the Maryland Line Area Association, testified that he and the Board of the Maryland Line Area Association were opposed to the granting of a variance for the sign. He suggested that if the sign were granted, that it be placed in the center of the property in front of the parking lot facing York Road. Mr. Robert Leonard's main concern was that the granting of the variance in this instance would set a

precedent for future sign variances. Mr. Leonard introduced pictures of the area evidencing the rural nature and quaintness of the Village of Maryland Line. It was explained at the hearing that each case is decided upon its own merits and that this particular case is in no way intended to set a precedent but shall be determined based upon the facts and evidence presented as being appropriate.

Ms. Burno and Ms. Flick testified in favor of Petitioner's request, noting the need for early identification of the site for safe access. The Weisburg Community Association, Inc. submitted a letter dated January 5, 1991 in support of the request; however, noting the need to place the sign further back from York Road than originally requested.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, with restrictions, such use as proposed would not be contrary to the spirit

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1.e.1 To allow a sign (single-faced) with a total of 37.5 sq. ft. in lieu of the permitted 15 sq. ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County for the following reasons: (indicate hardship or practical difficulty)

Practical Difficulty

Under current regulations, a sign of only one (1) square foot is permitted. Such a sign would not adequately identify the building and its intended use. It is necessary for the building to be adequately identified so the public is able to locate the building easily. It would be difficult for quick location by public fire and health safety organizations in the event of an emergency. Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Penn-Mar Organization, Inc.
Signature: Michael P. Shriver, Executive Director
Address: 310 Old Freeland Road, Suite 300
City and State: Towson, MD 21204

Attorney for Petitioner: P. O. Box 36 343-1069
(Type or Print Name) Address Phone No.
Signature: Thomas J. Peddicord, Jr. Maryland Line, Maryland 21105
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Michael P. Shriver, Executive Director
P. O. Box 36, Maryland Line, MD 21105
Address Phone No.
343-1069

ORDERED BY The Zoning Commissioner of Baltimore County, this 8th day of November 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of January, 1991, at 11 o'clock A.M.

06-21-01 3124
SEAL
Zoning Commissioner of Baltimore County

of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of February, 1991 that the Petition for Zoning Variance to permit a single-faced identification sign of 37.5 sq.ft. total in lieu of the maximum permitted 15 sq.ft., in accordance with Petitioner's Exhibit 4, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their sign permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) The subject sign shall be moved further back from York Road and placed in the vicinity of the red "x" marked on Petitioner's Exhibit 1 by the Deputy Zoning Commissioner.
- 3) Prior to the issuance of any permits, or within twenty (20) days of the date of this Order whichever occurs first, Petitioner shall submit a revised site plan with the proposed new location set forth thereon for approval by the Deputy Zoning Commissioner.
- 4) The variance granted herein is limited to the present use of the subject property by Petitioner. In the event of any lapse or change in use, the variance granted herein shall be rescinded.
- 5) The subject sign shall be limited to the design, size and dimensions set forth on Petitioner's Exhibit 4. The bottom of the subject sign shall not be any greater than 20 inches above the existing grade.

- 6) The subject sign shall not be self-illuminated. Any lighting directed towards the sign shall not be lit any earlier than 6:00 AM and no later than 9:00 PM.
- 7) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 7, 1991

Newton A. Williams, Esquire
Court Towers, Suite 700
210 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: PETITION FOR ZONING VARIANCE
NW/Corner York Road and Old Freeland Road
(310 Freeland Road)
7th Election District - 3rd Councilmanic District
Penn-Mar Organization, Inc. - Petitioner
Case No. 91-203-A

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Dr. & Mrs. Richard W. McQuaid
1501 Harris Mill Road, Parkton, Md. 21120

Mr. Robert C. Leonard
19800 Eagle Mill Road, Parkton, Md. 21120

Mr. Michael P. Shriver, Executive Director
Penn-Mar Organization, Inc.
P.O. Box 36, Maryland Line, Md. 21105

Thomas J. Peddicord, Jr., Esquire
100 West Road, Suite 300, Towson, Md. 21204

People's Counsel; File

KIDDE CONSULTANTS, INC.
Subsidiary of Kidde, Inc.

DESCRIPTION
4.902 ACRE, MORE OR LESS PARCEL
WEST SIDE OF YORK ROAD
AT NEW FREELAND ROAD
ELECTION DISTRICT 7
BALTIMORE COUNTY, MARYLAND

THIS DESCRIPTION IS FOR A SPECIAL EXCEPTION IN AN RC-2 ZONE.

BEGINNING FOR THE SAME at a point of intersection of the western right of way line of Maryland Route 45 (York Road), with the northern right of way line of Maryland Route 885 (Old Freeland Road), thence binding on the said northern right of way line of Maryland Route 885, (1) South 62 degrees 29 minutes 6 seconds West 1,074.49 feet to a point on the right of way line as shown on State Roads Commission Plat No. 18205, thence binding on said right of way line (2) North 44 degrees 52 minutes 20 seconds West 105.83 feet to a point on the southern right of way of Maryland Route 409 (New Freeland Road), thence binding on the southern right of way line of said Maryland Route 409 the following six courses, (3) by a non-tangent curve concave to the southeast an arc distance of 209.21 feet, having a radius of 2,711.15 feet, and being subtended by a chord North 47 degrees 27 minutes 19 seconds East 209.16 feet (4) South 40 degrees 27 minutes 3 seconds East 15.00 feet (5) North 49 degrees 45 minutes 17 seconds East 19.35 feet (6) North 40 degrees 2 minutes 22 seconds West 15.00 feet (7) by a non-tangent curve concave to the southeast an arc distance of 686.41 feet, having a radius of 2,711.15 feet and being subtended by a chord North 57 degrees 12

MICROFILMED

Description
York & New Freeland Roads
February 18, 1987
Page Two

91-203-A

minutes 49 seconds East 684.58 feet (8) North 64 degrees 28
minutes 00 seconds East 189.60 feet and (9) South 70 degrees 1
minutes 17 seconds East 40.29 to a point on the west right of way
line of York Road (Maryland Route 45), thence binding on the
aforesaid western right of way line of York Road (10) South 23
degrees 27 minutes 53 seconds East 187.05 feet to the place of
beginning.

CONTAINING 4.902 acres of land, more or less.

RLS/aeb KCI Job Order No. 86375 February 18, 1987



MICROFILMED

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number: N: 3684

Date: 1/16/90

Public Hearing Fees: \$175.00
Other: \$175.00
TOTAL: \$350.00

LAST NAME OF OWNER: PENN MAR ORGAN

344044007910HPC - \$175.00
PA 0009128410 17-90

Please make checks payable to: Baltimore County

Cashier Validation:

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 7th
Date of Posting: January 9, 1990

Posted for: Penn-Mar Organization, Inc.

Petitioner: Penn-Mar Organization, Inc.

Location of property: York Road and Old Freeland Road

Location of Sign: York Road and Old Freeland Road

Remarks: S. J. Dyer

Posted by: S. J. Dyer

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-3-1991

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-19-1990

TOWSON TIMES.

S. Zebe Olson
Publisher

\$ 71.69

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number:

Date:

Please Make Checks Payable To: Baltimore County

Cashier Validation:

CERTIFICATE OF PUBLICATION

TOWSON, MD., 1-3-1991

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12-20-1990

THE JEFFERSONIAN.

S. Zebe Olson
Publisher

\$ 71.69

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number:

Date:

Please Make Checks Payable To: Baltimore County

Cashier Validation:

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 1/21/91

Penn-Mar Organization, Inc.
P. O. Box 36
Maryland Line, Maryland 21105

RE: CASE NUMBER: 91-203-A
MAC York Road and Old Freeland Road
(#310 Freeland Road)
7th Election District - 3rd Councilmanic
Petitioner(s): Penn-Mar Organization, Inc.
HEARING: MONDAY, JANUARY 28, 1991 at 11:00 a.m.

Dear Petitioner(s):

Please be advised that \$ 76.19 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 115, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines
Zoning Commissioner
BALTIMORE COUNTY, MARYLAND

cc: Thomas J. Peddicord, Jr., Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

December 6, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 91-203-A
MAC York Road and Old Freeland Road
(#310 Freeland Road)
7th Election District - 3rd Councilmanic
Petitioner(s): Penn-Mar Organization, Inc.
HEARING: MONDAY, JANUARY 28, 1991 at 11:00 a.m.

Variance to allow a sign (single-faced) with a total of 37-1/2 sq. ft. in lieu of the permitted 15 sq. ft.

J. Robert Haines
Zoning Commissioner of
Baltimore County

cc: Penn-Mar Organization, Inc.
Thomas J. Peddicord, Jr., Esq.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

January 10, 1991

Thomas T. Peddicord, Esquire
100 West Road, Suite 300
Towson, MD 21204

RE: Item No. 163, Case No. 91-203-A
Petitioner: Penn-Mar Organization
Petition for Zoning Variance

Dear Mr. Peddicord:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WNIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,
James E. Dyer
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Michael F. Shriver
Penn-Mar Organization, Inc.
P.O. Box 36
Maryland Line, MD 21105

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 8th day of November, 1990.

J. Robert Haines
Zoning Commissioner

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Penn-Mar Organization
Petitioner's Attorney: Thomas T. Peddicord, Jr.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: December 20, 1990

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Penn-Mar Organization, Item No. 163

The petitioner requests a Variance to allow a sign (single-faced) with a total of 37 sq. ft. in lieu of the permitted 15 sq. ft.

Staff met with the executive director of Penn-Mar, Mike Shriver, on December 19, 1990. At the time, this office expressed our concerns regarding the proposed sign location. We suggested that the sign be moved away from York Road to mitigate the impact of the size of the sign on the rural landscape of Maryland Line.

Staff supports the applicant's request provided that the ultimate location of the sign meet the approval of the deputy director of the Office of Planning and Zoning.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM163/ZAC1

received
11/2/90

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

December 10, 1990

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 147, 159, 161, 162, and 163.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lab

received
12/13/90

Baltimore County
Fire Department
700 East Joppa Road, Suite 801
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Reincke
Chief

OCTOBER 30, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Dennis F. Baumann
County Fire Chief

RE: Property Owner: PENN-MAR ORGANIZATION, INC.

Location: #310 FREELAND ROAD

Item No.: 163 Zoning Agenda: NOVEMBER 7, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Paul H. Reincke* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

received
11/16/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
October 30, 1990

received
11/2/90

TO: J. ROBERT HAINES, ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: CHARLES E. BURNHAM, PLANS REVIEW CHIEF, DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 163
PROPERTY OWNER: Penn-Mar Organization, Inc.
LOCATION: NMC York and Old Freeland Road (#310 Freeland Road)
ELECTION DISTRICT: 7th
COUNCILMANIC DISTRICT:

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

() PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.01.07, MARYLAND BUILDING CODE FOR THE HANDICAPPED.

() PARKING LOCATION () RAMPS (degree slope)
() NUMBER PARKING SPACES () CURB CUTS
() BUILDING ACCESS () SIGNAGE

() PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.

(X) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.

() A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.

() STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 516.0 COUNCIL BILL #158-88 (BALTIMORE COUNTY BUILDING CODE).

(X) OTHER - All signs shall comply to Article 29 and its amendments in Bill #158-88, also known as the Baltimore County Building Code.

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1987 NATIONAL BUILDING CODES AS ADOPTED BY COUNCIL BILL #158-88.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: October 26, 1990

FROM: Robert M. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for November 7, 1990

The Development Engineering Division has reviewed the subject zoning items and we have no comments for Items 147, 160, 161, 162 and 163. Also, we have no comments on Items 162 and 113.

Items 143 reviewed and 148 County Review Group meetings are required.

For Item 160, a County Review Group Meeting may be required. On Joppa Street is proposed as a 20-foot paving section on a 50-foot right-of-way (5-foot widening is required). Driveways from the proposed parking areas is directed to rear of adjacent lot #C.

Robert M. Bowling, P.E.
ROBERT M. BOWLING, P.E., Chief
Development Engineering Division

RWB:c

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

February 19, 1991

Mr. Glenn L. Peabody
Vice President
Citizens' Alliance of Northern Baltimore County
18817 Middletown Road
Parkton, Maryland 21120

RE: Petition for Zoning Variance
NW/Corner Old Freeland Road and York Road
(310 Old Freeland Road)
7th Election District - 3rd Councilmanic District
Penn-Mar Organization, Inc. - Petitioner
Case No. 91-203-A

Dear Mr. Peabody:

In response to your letter dated February 11, 1991 regarding the above-captioned matter, the following comments are offered.

Please be advised that a decision was made and an Order issued on February 7, 1991. A copy of the Order is enclosed for your ready reference. In the event the decision rendered is not favorable to you, you have the right to file an appeal within thirty (30) days of the date of the Order. Should you wish to pursue the appeal process, please contact Ms. Charlotte Radcliffe, at 887-3391, for further information.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

ANN:bjs

cc: Case File



CITIZENS' ALLIANCE OF NORTHERN BALTIMORE COUNTY, INC.
PARKTON, MARYLAND 21120

Ann Nastarowicz
Zoning Officer
County Office Building
Chesapeake Avenue
Towson, Maryland 21204

February 11, 1991

Re: Zoning Variance 91-203-A Item #163

Dear Madam:

On behalf of the Citizens' Alliance of Northern Baltimore County I am writing to express our concerns over the above referenced zoning variation petition. While our organization and its members have the highest regard for the Penn-Mar organization, and have shown that regard through support of its petition for a special exception to construct its buildings, and the association's and individual's contributions of money, time, and goods, we feel we must OPPOSE its petition for a variance in signage.

Our opposition was expressed in testimony by Dr. Richard McQuaid, Member of the Alliance Board, during a recent hearing on the matter. His testimony questioned the need for a charitable, non-profit organization to have a sign two and a half times larger than that permitted by regulations and explained the hazards to traffic on Old Freeland, Freeland, and York Roads such a structure would pose.

Further, we have worked very closely with the Office of Planning and Zoning to effect standards appropriate to the rural nature of Northern Baltimore County and feel permitting a sign of this size, with no expressed pressing need for it in the small village of Maryland Line, erodes the sound planning principles involved in setting those standards.

Our organization has agreed, however, to the compromise of posting the sign closer to the building.

I hope these comments are helpful in formulating your position. Please advise us when a decision regarding the variance petition is made.

Sincerely,
Glenn L. Peabody
Glenn L. Peabody, Vice-President
Citizens' Alliance of Northern Baltimore County

ROBERT L. EHRLICH, JR.
TECHNICAL LEGISLATIVE DISTRICT
BALTIMORE COUNTY
—
JUDICIARY COMMITTEE
GOVERNOR'S COUNCIL ON CHILD ABUSE
AND NEGLECT
MARYLAND JUVENILE JUSTICE ADVISORY COUNCIL



HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401-1991

January 25, 1991

Mr. J. Robert Haines
Baltimore County Zoning Commissioner
109 County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

I am writing in support of the sign to be placed on the property of Penn-Mar Organization, Inc. in Maryland Line, Maryland.

In my opinion, Penn-Mar Organization has been reasonable in accommodating Dr. McQuade and it is my understanding that just today, Penn-Mar has agreed to have the sign located off the road.

I appreciate your consideration of my support in your deliberations.

Sincerely,

Robert L. Ehrlich, Jr.
Robert L. Ehrlich, Jr.

RLE,Jr./jc

RECEIVED
JAN 25 1991
ZONING OFFICE

file

1501 Harris Mill Rd.
Parkton, Md. 21120
November 9, 1990

Mr. J. Robert Haines
Zoning Commissioner, Baltimore County
County Office Building
Chesapeake Ave.
Towson, Md. 21204

Re: 91-203-A Item #163

Dear Mr. Haines,

I am writing this letter on behalf of the Maryland Line Area Association to express our concerns over the referenced zoning variance petition.

While we have the highest regard for the aims of the Penn-Mar Organization and have supported them in their petition for special exception to construct their building and many of our members have made contributions of money, time and goods, we feel that we must oppose their petition for variance.

I expressed our opposition to the petition of the Penn-Mar Organization, Inc. in our letter to the Zoning Advisory Committee dated November 9, 1990, a copy of which was sent to your office. In that letter, we questioned the need for a sign two and a half times larger than that permitted by regulations to identify a charitable, non-commercial operation. We expressed the view that it would have an adverse effect on the rest of the community and we know that it would start a "domino" effect with all of the five other businesses in the little town of Maryland Line also requesting larger signs.

Since writing our letter, we have found that if the sign is installed in the position that the Penn-Mar Organization has proposed, it will create a traffic hazard by obstructing the vision of east bound traffic on Freeland Road approaching the York Road intersection, of south bound traffic on York Road approaching the Freeland Road intersection and will make a nearly blind intersection of Old Freeland Road with York Road. Members of the Maryland Line Volunteer Fire Company which is situated on the south east corner of York and Freeland Roads have brought this serious traffic hazard to our attention. The Fire Company members are there often enough to observe the traffic

MARYLAND LINE AREA ASSOCIATION

1501 Harris Mill Rd.
Parkton, Md. 21120
December 29, 1990

Re: 91-203-A Item #163

Dear Mr. Haines,

I am writing this letter on behalf of the Maryland Line Area Association to express our concerns over the referenced zoning variance petition.

While we have the highest regard for the aims of the Penn-Mar Organization and have supported them in their petition for special exception to construct their building and many of our members have made contributions of money, time and goods, we feel that we must oppose their petition for variance.

I expressed our opposition to the petition of the Penn-Mar Organization, Inc. in our letter to the Zoning Advisory Committee dated November 9, 1990, a copy of which was sent to your office. In that letter, we questioned the need for a sign two and a half times larger than that permitted by regulations to identify a charitable, non-commercial operation. We expressed the view that it would have an adverse effect on the rest of the community and we know that it would start a "domino" effect with all of the five other businesses in the little town of Maryland Line also requesting larger signs.

Since writing our letter, we have found that if the sign is installed in the position that the Penn-Mar Organization has proposed, it will create a traffic hazard by obstructing the vision of east bound traffic on Freeland Road approaching the York Road intersection, of south bound traffic on York Road approaching the Freeland Road intersection and will make a nearly blind intersection of Old Freeland Road with York Road. Members of the Maryland Line Volunteer Fire Company which is situated on the south east corner of York and Freeland Roads have brought this serious traffic hazard to our attention. The Fire Company members are there often enough to observe the traffic

conditions at that intersection under all types of circumstances.

There have been several serious accidents at the York and Freeland Road intersection without further visual obstruction and in spite of the presence of the flashing light. This is a very dangerous intersection with long lines of fast moving vehicles at rush hour which must be able to see oncoming east bound traffic at Freeland Road.

We feel we have adequate reason to oppose the variance to allow Penn-Mar Organization, Inc. to erect this large sign. We do feel, however, that there is a compromise position that could be achieved if Penn-Mar Organization, Inc. would have some consideration for the community which has supported them and then would be willing to yield from their position rather than subject themselves to lengthy litigation with all of time and expenditures of funds contributed for the benefit of their clients. If Penn-Mar Organization, Inc. would agree in writing to install their sign within ten feet of the eastern border of their present parking lot or on the wall of their building, we would withdraw our objections to the variance. Placing it in either of these two positions would eliminate the traffic hazard created by visual obstruction from the large sign placed close to York Road and would mitigate the adverse visual impact of such a large sign.

We hope that this compromise could be reached by mutual agreement prior to the hearing or by your order after the hearing. If there is any further information required, please contact me at the above address or by telephone at 343-1089.

Very truly yours,
Richard W. McQuaid
Dr. Richard W. McQuaid
President,
Md. Line Area Assoc.

c.c. Mr. P. David Fields
Mr. Wally Lippincott

MARYLAND LINE AREA ASSOCIATION

1501 Harris Mill Rd.
Parkton, Md. 21120
November 9, 1990

Mr. Wallace Lippincott
Zoning Advisory Committee
New Court Building --4th. floor
Towson, Md. 21204

Dear Mr. Lippincott,

This letter is written on behalf of the Maryland Line Area Association. The Officers and Directors of the Maryland Line Area Association wish to inform you of our opposition to a petition for a Zoning Variance by Penn-Mar Organization, Inc. to allow a thirty-seven and a half (37½) square foot sign in lieu of the permitted fifteen square feet on their property at York and Freeland Roads in the village of Maryland Line.

We request that a public hearing be held on this case, which was Zoning Advisory Committee Item #163 in their meeting of Nov. 7, 1990.

While Penn-Mar is an organization performing valuable service by training the mentally retarded to lead useful lives, they have no need for an identification sign larger than any of the businesses in the vicinity.

If Penn-Mar is allowed a larger sign than the regulations permit, all other businesses in the little historic town of Maryland Line will want larger signs. The "domino principle" has been proven time after time; one only has to look further down the York Road corridor for the result.

Penn-Mar was permitted to build a building within sight of York Road that is completely out of scope and character with the area. There is no need to further damage the rural village atmosphere by allowing an oversize sign no matter how artistic or tasteful it is said to be.

Respectfully submitted,
Richard W. McQuaid
Dr. Richard W. McQuaid,
President,
Md. Line Area Assoc.

c.c. Mr. Robert Haines, Baltimore County Zoning Commissioner

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Robert C. Leonard	19820 EAGLE HILL RD 21120
Dr. Richard W. McQuaid	1501 Harris Mill Rd 21120
Wanda M. Gandy	1501 Harris Mill Rd 21120

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Walter Williams	740 Court House, 21204 (Mk)
Christine L. Jones	2915 W. Frederick Rd. Parkton, Md.
John M. Ship	2915 W. Frederick Rd. Parkton, Md.
John Chapman	2915 W. Frederick Rd. Parkton, Md.
John B. Allen	Box 37, Butte, MD 21023 0027
Richard L. Jones	Box 37, Butte, MD 21023 0027
John M. Gandy	18001 Drington Rd. West Hill, Md.

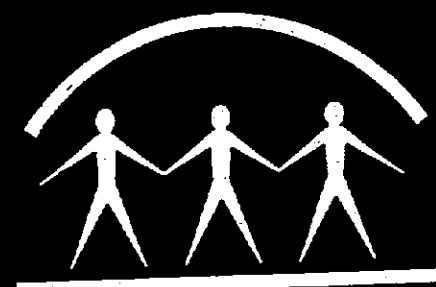
Chart 91 203A

McQuaid

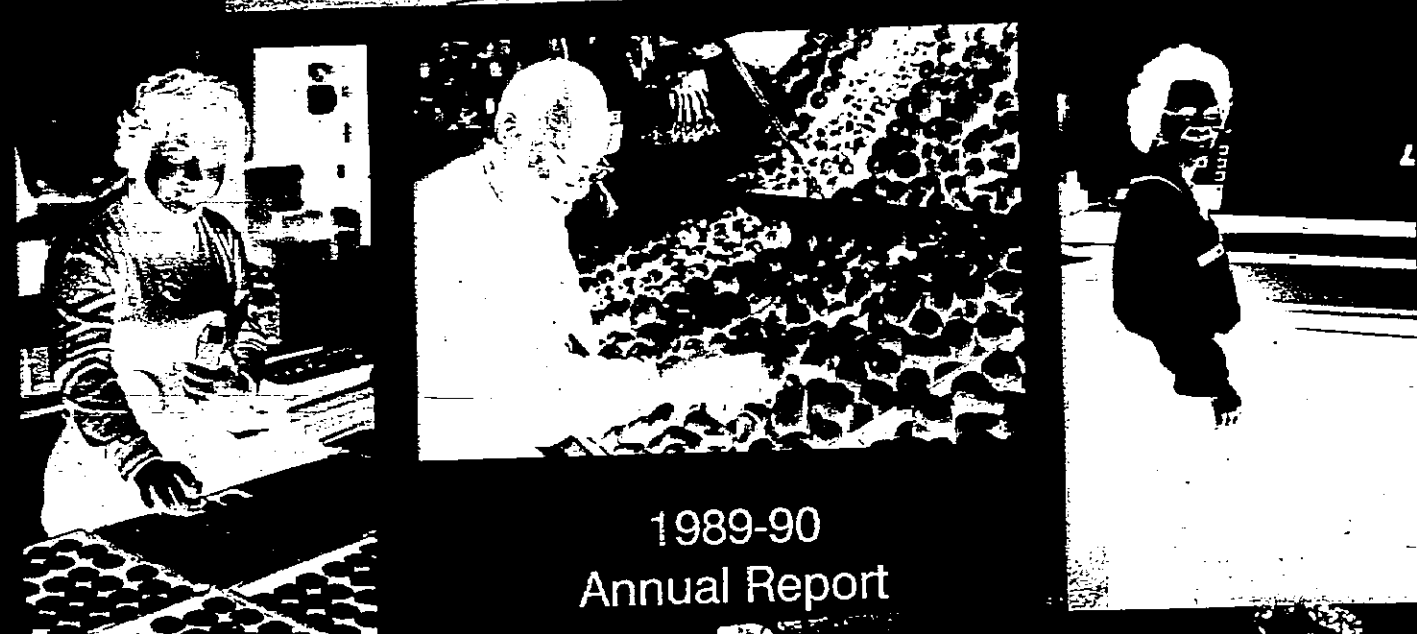


Case No. 91-203A

PROTESTANTS EXHIBIT 1



Penn-Mar Organization, Inc.



1989-90
Annual Report

1
E



C. Front of building looking W



E. Parking Area



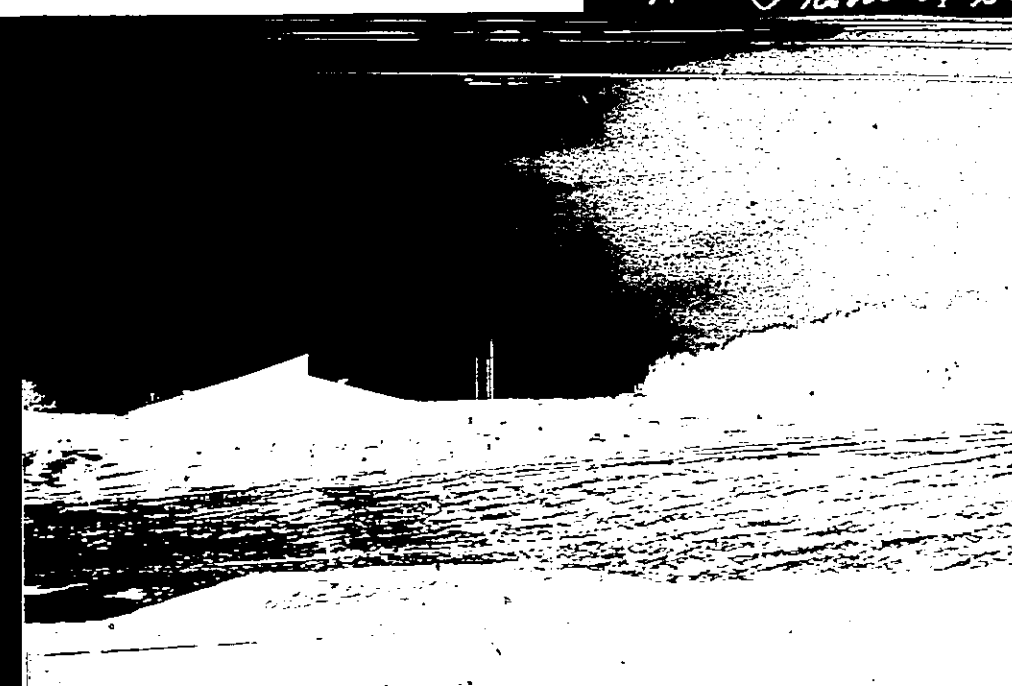
D. Front parking area looking E
toward York Rd. + Vol. Fire Bldg.



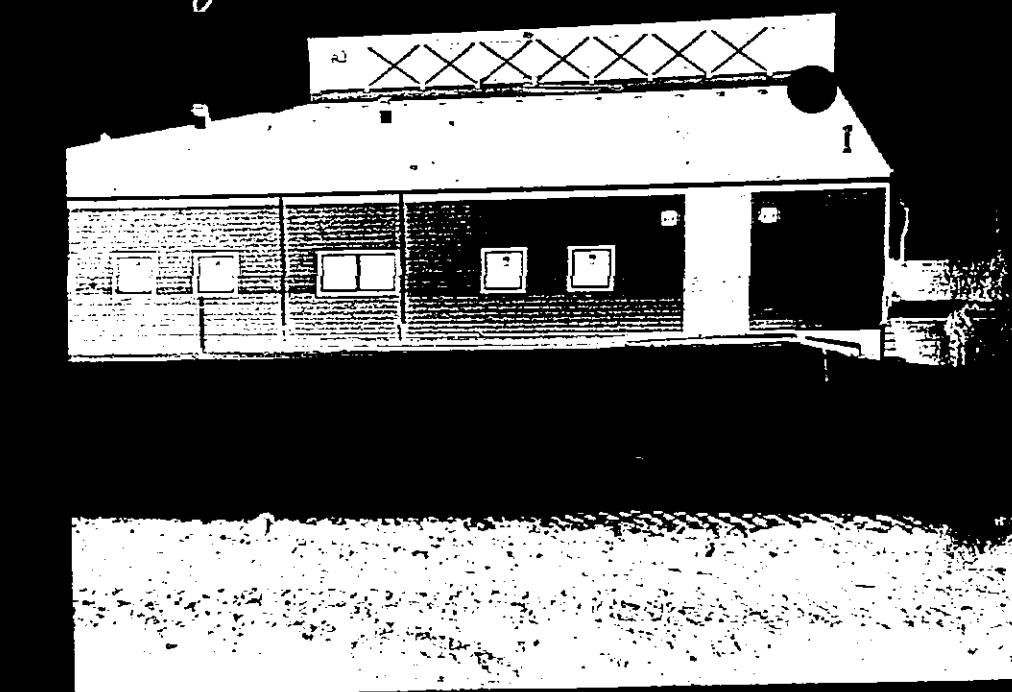
I. Look N from parking area
across New-Freeland Rd.



K. Looking W from site on
New-Freeland Rd.



D. Front of building from
York Rd., Route 45



F. N/S of Bldg.



H. Proposed sign on frontage



J. Looking NW from rear of bldg
across New-Freeland Rd.



L. Looking SW across Old-Freeland
Rd. from site



A. Front of building looking S

Penn-Mar
Maryland Line

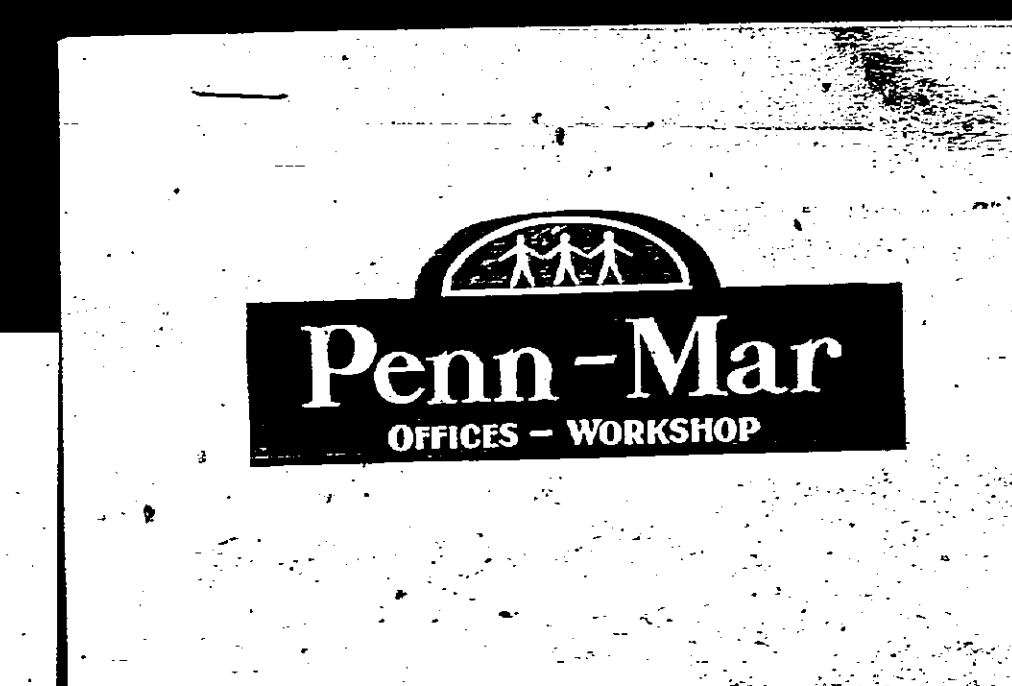


B. Front of building

PETITIONER'S
EXHIBIT 3



M. Looking S across Old-Freeland Rd.
toward Material Storage Yard



Penn-Mar
ORGANIZATION

PETITIONER'S
EXHIBIT 4

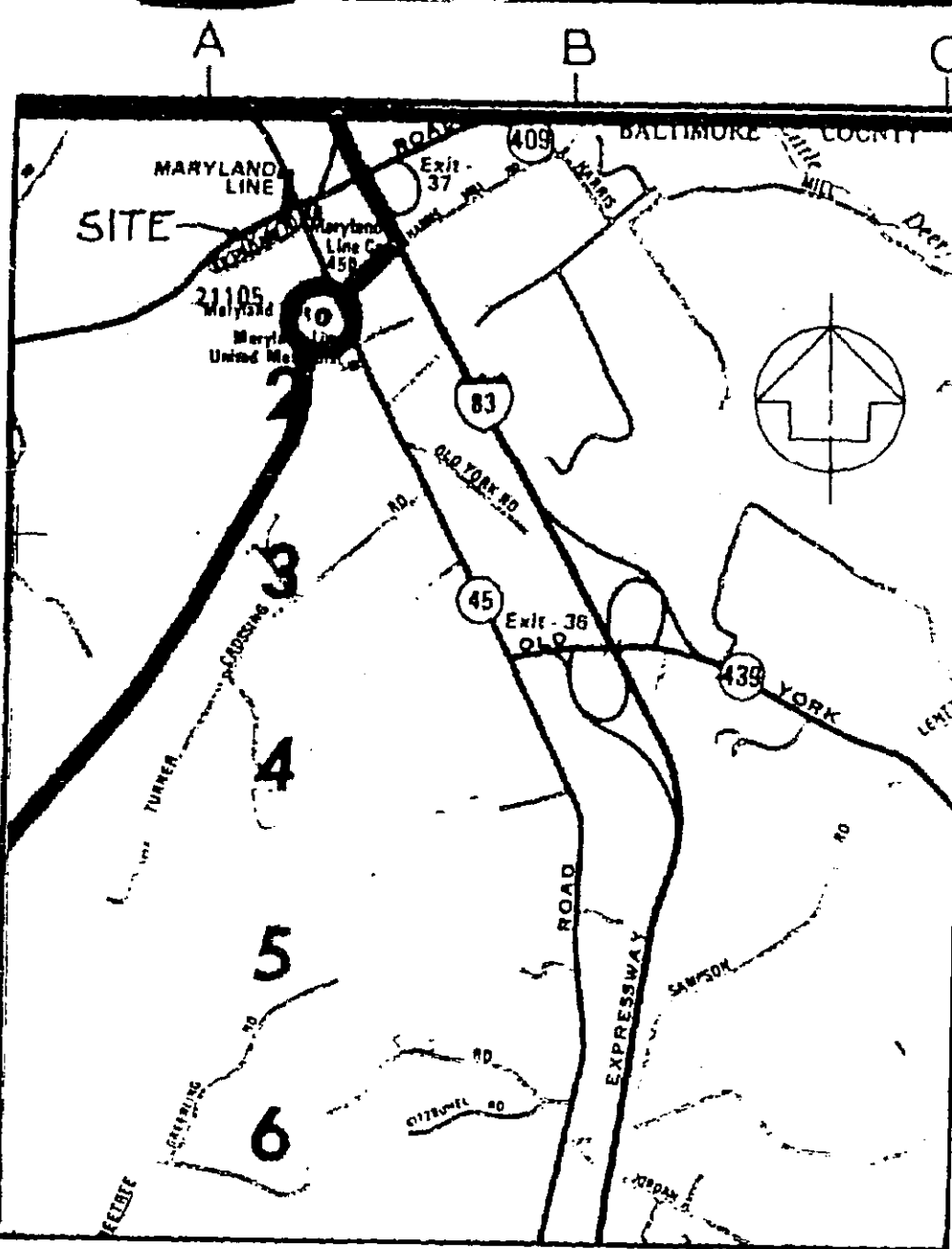
Penn-Mar 12'x12' / 5'x12'
Greenhouse 5'x12' / 4'x12'

8'x8'



DATE	CLIENT	JOB	REMARKS
		SANDBLASTED	7/4" = 1/8" SCALE

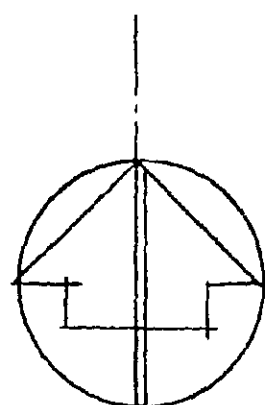
STUDIO K SIGN CO.
19213 Falls Rd. Box 37 Butler, Md. 21023
(301) 771-4142



VICINITY MAP - SCALE 1"=2000'

SEQUENCE OF OPERATIONS

1. Notify Baltimore County Department of Environmental Protection and Resource Management, Sediment Control Division (494-3226) at least 48 hours prior to beginning work on-site.
2. Clear and grub for sediment and erosion control measures and devices only.
3. Install all sediment and erosion control measures and devices.
4. Notify Baltimore County Department of Environmental Protection and Resource Management, Sediment Control Division, upon completion of said installation.
5. With the approval of the Baltimore County Sediment Control Inspector, clear and grub remainder of site.
6. Install foundations, construct building addition.
7. Finish grading, seed and mulch disturbed area.
8. Remove temporary sediment control devices, clean up and stabilize remaining site area.



DEVELOPER & OWNER
PENN-MAR ORGANIZATION, INC.
P.O. BOX 36
MARYLAND LINE, MD. 21105-0036
(301) 343-1069



RUBELING
& ASSOCIATES
ARCHITECTS

130 EAST JOPPA ROAD
TOWSON, MARYLAND 21204
301/337-2860

ADDITIONS AND ALTERATIONS TO:
PENN-MAR COMMUNITY CARE CENTER
OLD FREELAND ROAD, MARYLAND LINE, MARYLAND 21105

Therefore, it is ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of June, 1987, that the Petition for Special Exception for a community care center be and is hereby GRANTED, from and after the date of this order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

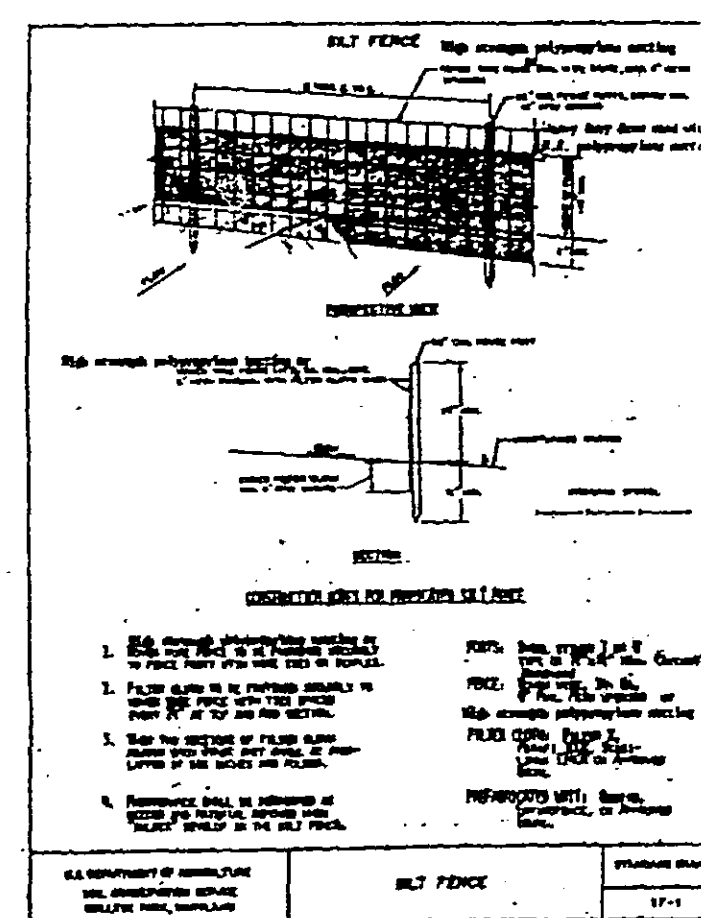
1. The petitioner may apply for its building permit and be granted same upon receipt of this Order; however, petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. The maximum number of persons to be served is 75.
3. The period for utilization of the special exception shall be five years.

TOTAL DISTURBED AREA - 1,520.00 FT²

SCALE: 1"=40'

SITE DATA AND GENERAL NOTES

DEED REF 7039-222
ACCT 116 20 00-005298
COMMUNAL DISTRICT 2 ELECTION DISTRICT 7
CENSUS TRACT 4071
LREL 0301 PROPERTY 4.302 ACRES
GROSS AREA OF PROPERTY 6.342 ACRES
EXISTING ZONING: RC-2
EXISTING USE: COMMUNITY CARE CENTER
PRIVATE WATER WELL EXISTS ON SITE (PUMP DEPT. 3.414')
PRIVATE SEWAGE SYSTEM EXISTS ON SITE
OFF STREET PARKING DATA:
EXISTING BLDG AREA: 7,744 SQ FT
BUILDING EXPANSION AREA: 14,780 SQ FT
REQUIRING 40 SPACES (1/3000) TOTAL SPACES PROP. 45
LANDSCAPING WILL BE PROVIDED IN ACCORDANCE WITH THE BALTIMORE CO. LANDSCAPE MANUAL
O. SPECIAL EXCEPTION ZONING NO. 87-507-X
ORIGINAL PERMIT NO. 99255
CONTROL NO. 1247087
DATE 11/3/1987
BUILDING HEIGHT ONE STORY 24'-0"
DWELLING UNIT 75



- Construction Specifications for Silt Fence
- A. Silt Fence Fabric: The approved woven filter fabric has a grab tensile strength of approximately 160 lbs. (spec. = 90 lbs. min.) with a double stitched hem at the top for a draw cord.
 - B. Fence Posts: Wood posts will be of sound quality hardwood with a minimum cross section of 1 1/4" x 1 1/4" (actual dimensions).
 - C. Wire Fence: High strength polypropylene netting may be used for structural reinforcement for the above filter fabric. Instead of the wire mesh as specified.
 - D. Heavy Duty Draw Cord: This cord is placed in the double stitched hem at the top of the fence to stiffen, strengthen, and support the filter fabric when using high strength polypropylene netting.

Site Plan

Sheet
A
100

REVISED 10-10-88
ISSUED FOR PERMIT



RR - NE

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 13, 1988

Map Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88

Dale T. Voss
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION

MARYLAND LINE

SHEET

N.W.

39-B

91-203-A